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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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06/28/2000

Pradeep Bahl

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MICROSOFT CORPORATION  
ONE MICROSOFT WAY  
REDMOND, WA 98052-6399

EXAMINER

DADA, BEEMNET W

ART UNIT

PAPER NUMBER

2135

NOTIFICATION DATE

DELIVERY MODE

07/18/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

roks@microsoft.com  
ntovar@microsoft.com

<b>Office Action Summary</b>	<b>Application No.</b> 09/607,195	<b>Applicant(s)</b> BAHL ET AL.	
	<b>Examiner</b> BEEMNET W. DADA	<b>Art Unit</b> 2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8, 12-16, 19 and 20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 12-16, 19 and 20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### *DETAILED ACTION*

1. This office action is in reply to an amendment after non-final rejection filed on March 14, 2008.
2. In the previous office action mailed on 09/14/2007, Examiner indicated that claims 1-8, 12-16, 19-20 and 31-33 are allowed. Accordingly applicant's representative canceled the rest of the claims and submitted only the claims which were allowed.
3. A close review, including further search and consideration of the prosecution of this application revealed that the claims have not yet reached to be allowed. New prior art in combination with the prior art on the record, are found to be applicable to the pending claims. In view of this understanding, the office has decided to write another non-final rejection. The office apologizes for any inconvenience this may cause and Examiner would encourage applicant's representative to call and schedule interview to further discuss this office action and how the claim limitation/s is interpreted by the office.

### *Response to Arguments*

4. Applicant's arguments filed on March 14, 2008 and the appeal brief filed on 06/04/2007 with respect to claims 1-8, 12-16, 19-20 and 31-33 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 103*

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-8 and 31-33** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Nordman** US Patent 6,061,346 in view of Brustoloni et al (hereinafter **Brustoloni**) (US Pub. No. 2001/0034831 A1 filed on Jan 19, 2001 and claims a priority of of a provional application no. 60/198,547 filed on April 19, 2000)

7. **As per claims independent claim 1 and dependent claims 6 and 31-33 Nordman** teaches a method for controlling access to a network by a wireless client, the method comprising:
- assigning a network address to the wireless client, wherein the network address has a lease period** [column 4, lines 13-22];
- sending the assigned network address to the wireless client and establishing secure link** [column 7, line 53 – column 8, line 5];
- sending an address of a wireless access point to the wireless client, wherein the wireless access point is adapted to handle the secure link established by the wireless client** [column 8, lines 12-23 and lines 57-67]. **Nordman teaches sending assigned network address to the wireless client.**

Nordman is silent on sending the assigned network address to the wireless client prior to establishing a secure link.

However, within the same field of endeavor **Brustoloni** teaches assigning a network address, sending the assigned network address to the client [See “phase 1” on how the network address is assigned to the client as discussed on paragraph 0036-0037] prior to establishing a secure link and establishing a secure link using the assigned network address [paragraph 0039] (See, “Phase 2” on paragraph 0039) (On paragraph 0037-0039, “Phase 1” is discussed, and phase 1 is about sending the assigned network address to the client. On

paragraph 0039 “phase 2” is discussed and this phase is about, how secure link such as secure tunnel and IPsec is established between the client and the server. Note that “Phase 1” is implemented prior to “phase 2”]

It would have been obvious to one having ordinary skill in the art at the time of applicant’s invention to employ the teaching of **Brustoloni** such as “sending the assigned network address to the wireless client prior to establishing a secure link” within the system of Nordman in order to provide a secure, low cost, internet access at locations that are convenient for mobile clients and further enhance security of the system. **[See Brustoloni paragraph 0009]**

8. **As per dependent claims 2 and 7, the combination of Nordmand and Brustoloni** disclose the method as applied to claims above. Furthermore **Brustoloni** teaches the method wherein the assigned network address and the wireless access point address are sent to the wireless client in a DHCP offer packet [see Paragraph 0037].
9. **As per dependent claims 3 and 8, the combination of Nordmand and Brustoloni** disclose the method as applied to claims above. Furthermore **Nordman** further teaches secure IP tunneling [column 8, lines 8-22]. [See also paragraph 0039, Brustoloni]
10. **As per dependent claims 4 and 5, the combination of Nordmand and Brustoloni** disclose the method as applied to claims above. Furthermore **Nordman** further teaches sending network address via a wireless access point [column 4, lines 4-22].

11. **Claims 12, 15 and 19** are rejected under 35 U.S.C. 103(a) as being unpatentable over Orsic US Patent 6,147,986 filed on March 6, 1998 in view of Ala-Laurila et al US Patent 6,704,789 (hereinafter Ala-Laurila).

12. **As per independent claims 12 and dependent claims 15 and 19 Orsic discloses a** method for controlling an access to a network by a wireless client, the method comprising

**Receiving a request for a network address from the wireless client** [column 4, lines 49-51, "T/H 18 creates a m-DHCP request message and sends it to the m-DHCP server in the BS 14" ], (on column 4, lines 46-51, the following has been disclosed. When a mobile T/H 18 initially links itself to the Internet, or is handed off from an old to a new base station 14, it obtains a new IP address via the radio sub-network handled by the respective BS 14. As mentioned, the T/H 18 creates a m-DHCP request message and sends it to the m-DHCP server in the BS 14);

**Attaching information to the request to indicate that the request originated from a wireless client** [column 4, lines 51-52, "The request message includes the T/H's domain name **and a unique hardware address**";

**Relaying the request to the address server** [figure 4, 49-52, "T/H 18 creates a m-DHCP request message and sends it to the m-DHCP server in the BS 14. The request message includes the T/H's domain name and a unique hardware address."];

**Receiving an assignment of an address from the address sever and relaying the assignment of the address to the wireless client** [column 4, lines 52-63] (On column 4, lines 52-63, the following has been disclosed. In its response, the m-DHCP server indicates

*which IP address has been leased to the mobile T/H 18. In addition, the server specifies the duration of the lease, the BS's IP address (i.e., the address of the router for the wireless sub-network), and the IP address of the DNS server that serves the wireless sub-network. The m-DHCP server also informs the dynamic DNS server for the mobile T/H when an IP address is allocated to the T/H, and when the allocated IP address has been canceled. The m-DHCP will know the DNS server for the mobile T/H 18 because the latter supplies its domain name in its m-DHCP request message”).*

**Orsic** is silent on negotiating the establishment of a secure link with the wireless client using the assigned address, and using the assigned address to communicate with the wireless access point.

However, within the same field of endeavor **Ala-laurila** teaches a method for controlling access to a network by a wireless client (see figures 4 and 5), the method comprising receiving a request for a network address from the wireless client [steps DHCP SOLICIT, figures 4 & 5];

attaching information to the request to indicate that the request originated from a wireless client [USER ID attached to the DHCP SOLICIT, figures 4 and 5]; relaying the request to the address server [figure 4, 5, units 24 & 14];

receiving an assignment of an address from the address server [DHCP ADVERTISE of fig 4 and DHCP OFFER & IP ADDRESS of figure 5], the address having lease time [column 9, lines 14-33]; relaying the assignment of the address to the wireless client [RELAY 24 and SERVER 14 of figures 4 and 5];

negotiating the establishment of a secure link with the wireless client using the assigned address, and using the assigned address to communicate with the wireless access point [MESSAGE + IPSEC AUTH, of figures 4 and 5 and column 7, lines 46-56].

It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to employ the teaching of Ala-laurila within the system of **Orsic** in order to enhance the security of the system by providing access control to a wireless client.[See figure 4 and 5, of Ala-laurila]

13. **Dependent Claims 13, 14, 16 and 20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Orsic US Patent 6,147,986 filed on March 6, 1998 in view of Ala-Laurila et al US Patent 6,704,789 (hereinafter Ala-Laurila) further in view of Inoue et al. US Patent 6,510,153 (hereinafter Inoue).

14. **As per dependent claims 13, 14, 16 and 20**, the combination of Orsic and Ala-Laurila teaches the method for controlling access to a network by a wireless client as applied to claim 12 above. the combination of Orsic and Ala-Laurila is silent on broadcasting an ARP packet to check whether there are any other clients having the same assigned address of the wireless client. However, Inoue teaches a mobile IP communication scheme, including broadcasting an ARP packet to check whether there are any other clients having the same assigned address of a wireless client and if a response to the ARP is received, terminating the negotiation, thereby denying the wireless access to the network [column 8, lines 34-57 and figures 5 & 12]. It would have been obvious to one having ordinary skill in the art to employ the teaching of Inoue within the system of Ala-Laurila in order to prevent duplicate assignment of IP addresses.



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***Conclusion***

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO Form 892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beemnet W Dada whose telephone number is (571) 272-3847. The examiner can normally be reached on Monday - Friday (9:00 am - 5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

06/28/2008

/Beemnet W Dada/

Examiner, Art Unit 2135